

A. REMARKS

No claims have been canceled or added in this reply. Hence, Claims 1, 3, 5-19, 21-42, 44, 46-60, 62-83 and 85 are pending in this application. All issues raised in the Office Action mailed July 3, 2007 are addressed hereinafter.

DECLARATION UNDER 37 CFR 1.131 OF STEVEN VIAVANT

Filed herewith is a declaration under 37 CFR 1.131 of Steven Viavant. Mr. Viavant is the first named inventor of this application. As set forth in Mr. Viavant's Declaration, the invention claimed in the present application was actually reduced to practice in various versions of prototype software for Oracle Corporation's IAS software between December 15, 2000 and January 9, 2001. These dates are corroborated in the invention disclosure form attached to the Declaration. In the Declaration, Mr. Viavant declares that the inventors conceived and discussed the invention recited in the claims of the present application at least two days prior to the earliest actual reduction to practice of December 15, 2000, or at least as early as December 13, 2000. Although the invention disclosure form does not indicate the dates of conception, it is respectfully submitted that the statement of Mr. Viavant should be given full weight because he is asserting conception a mere two days prior to the documented earliest date of actual reduction to practice.

Mr. Viavant also declares that from a time just prior to December 14, 2000 to the actual implementation of the invention in prototype software between December 15, 2000 and January 9, 2001, the inventors worked diligently to implement the invention recited in the claims of the present application in the prototype software. Thus, it is respectfully submitted that the attached Declaration successfully antedates the *Elnozahy* reference by showing a date of conception before the filing date of the *Elnozahy* reference coupled with due diligence from a time just before the file date of the *Elnozahy* reference to an actual reduction to practice of the invention claimed by the present application.

In view of the antedating of the *Elnozahy* reference and that the *Elnozahy* reference is relied upon in all of the rejections, it is the Applicant respectfully requests the issuance of a Notice of Allowance or a new search and office action.

CONCLUSION

It is respectfully submitted that all of the pending claims are in condition for allowance and the issuance of a notice of allowance is respectfully requested. If there are any additional charges, please charge them to Deposit Account No. 50-1302.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that such contact would be helpful in furthering the prosecution of this application.

Respectfully submitted,

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